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ABSTRACT

This issue deals with an important aspect of governance in a college or university--the role of the Board of Trustees in determining academic policy. In order to play a proper role in the making of sound academic policy, the Board of Trustees must take itself seriously in the choice it makes (if it does) of its members. A judiciously constituted board and an effectively coordinated committee structure is the starting point for sound academic policymaking. Any responsible concern that trustees feel for curriculum must in the end be represented by a responsible concern for the nature and welfare of the faculty body. A trustee may satisfy himself about faculty quality and performance if he is attentive to conditions of employment. For long-range planning, the primary responsibility lies with the administration because it is sufficiently detached from special interests and informed about general developments in education to be able to give needed leadership. (Author/PG)

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TRUSTEES AND ACADEMIC POLICY

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ACCOUNTABILITY: THE TRUSTEES' ROLE IN ACADEMIC POLICY

This issue of *Management Forum* deals with an important aspect of governance in a college or university—the role of the Board of Trustees in determining academic policy. This is a digest of a paper originally presented at the Tenth Annual Regents Conference in New York on 5 March 1974 in a forum on the responsibilities of faculty and trustees in the making of academic policy. Dr. Martin is President at Union College.

THE BOARD OF TRUSTEES AND THE MAKING OF ACADEMIC POLICY

BY HAROLD C. MARTIN

By the average college and university faculty body, trustees are most admired for generous passivity. In their view, the academic business of the college or university is their business. In fact, however, the business, even the academic business, of a college or university is faculty business only in a narrow sense. It is fundamentally public business, whether the college or university is private or public; and because it is public business, the management of it must clearly link responsibility with public accountability.

The focus of this discussion is designedly narrow; it is meant to catch the issue where conflict is sharpest, exactly where action by trustees may most readily provoke the cry of "Foul" from faculty. By and large, academic people think and care little about investments, fund-raising, public relations, and even long-range planning—except as they reinforce and support their concerns about the academic program and their own independence. On these matters they believe that the first and final word belongs to them; they are, after all, the experts.

In the lecture hall, the seminar room, the laboratory, the professorial study, there is no proper place for trustees. All that is said or written in those places may not be true or just; some of what is said or written may be rubbish; and some is certain to be offensive to received opinion and taste. But trustees can claim nothing better for themselves in their own domains, and even if they could, there is one clear principle in this matter: interference with freedom of thought and speech is both illegal and immoral. In the end, trustees must live with the nature of the institution they govern. If there is one clear responsibility for trustees in this regard it is to make sure there *are* differences, competent disagreements, fervid confrontations. The trouble with most colleges and universities is not at all that they are too disputatious, but that they are not disputatious enough. "Opinion," Milton said, "is but truth in the making," and trustees ought to have a sharp conscience about the provision and protection of expressions of opinion, no matter whom they offend.

MEMBERSHIP

In order to play a proper role in the making of sound academic policy, the Board of Trustees must begin by taking itself seriously, and the first place for it to do that is in the choice it makes, if it has a choice, of its members. Ordinarily most trustees are themselves college graduates; more often than not, they are alumni of the institutions they formally govern. They have the advantage over students of being more experienced, but they have the disadvantage of being more

removed from the immediate experience of formal instruction. Faculty members lie somewhere between trustees and students—their experience is richer than students' though usually more narrow than trustees', and since as teachers they are also learners, their immediate contact with the learning process is both two-fold and continuous. For that reason, it seems very desirable that some members of every Board of Trustees should be, or should recently have been, members of the professional academic community: teachers, research-workers, librarians, or administrators.

The fundamental virtue of a Board of Trustees lies not in its being expert in academic affairs but in its having a sound and separate perspective on them. The perspective, however, must be an informed perspective, and solid information serves best when it is continuous and immediate, when it is not simply a report from an employee but a voice from an equal. There are two ways to provide that kind of academic voice on the Board. The better, but more difficult to achieve, is by election or selection of academic people associated with other institutions; the other is by allotment of trustee places to faculty members elected by their peers from inside the institution itself. From my own experience, I can say with some assurance that the academic presence is useful; it should not, I think, be strong enough to represent a majority, but as a minority it can and does make for better decisions by the entire Board.

If a Board has academic members, it will use them where they can be most valuable, in whatever committee of the Board has a special responsibility for academic affairs, although not exclusively there, because academic members need the perspective of the whole as much as any others. A good committee structure might well embody parallels between many or all Board committees and certain campus committees. This provides an increased possibility of a clear flow of information and argument through the chief executive officer in both directions.

ACADEMIC POLICY-MAKING

A judiciously constituted Board and an effectively coordinated committee structure is a starting point. Beyond both lies the determination of the role for trustees in those pivotal matters of admissions, curriculum, graduation requirements; selection and retention and promotion of faculty; policies for tenure, sabbaticals, and leaves; compensation scales; and the like. In all, the role of trustees should be policy-making, not administration, although the two are not in practice neatly divisible simply because each feeds the other.

Consider the matter of admissions policy. When in the early 'forties the Harvard Corporation announced its determination to make Harvard a truly "national" college, its decision produced a chain reaction through the college, altering not simply admissions recruitment and selection but curriculum and climate as well. When, thirty years later, the Board of Higher Education of New York City announced the policy of open admissions, it precipitated an even more radical series of changes. Both decisions, I might note, were opposed by considerable segments of faculty at the time, and I think it is fair to say that neither would have been made by faculty on their own. In both instances, the governing boards acted from the special perspective of those who see their responsibility as one to the public weal and to the future. Most trustee actions in the matter of admission will not be so grand, or so grandiose, as the two I have named, but they should have that characteristic of public- and future-mindedness. By accident or design, most colleges have some sort of "mission"—to use the term sanctified by the new state master-plan reports, and it is important that, in the light of that mission, change as it may from time to time, trustees should commit themselves to the policy-making that best fulfills it.

At the other end of the line, there is the matter of graduation requirements. I know a fine liberal arts college, for instance, which requires tested proficiency in public speaking of all its candidates for a degree. The example may seem almost whimsical, but the principle involved is the same as for the requirement, or abolition, of ROTC or of a core curriculum or of courses in religion. These all have something to do with mission and with the character of the institution, and if trustees are serious about mission and character they cannot ignore them. What they should do is make them the subject of healthy debate, part of continuous institutional self-assessment. What happens if, after debate, trustees find themselves at loggerheads with faculty on a requirement? They may shuffle the matter off to a special consultant, but in the end the decision is one that seems to me a prerogative of trustees, if they think it really important.

CURRICULUM

Is the same to be said for the curriculum as a whole and in all its details? Clearly not. In most cases trustees limit themselves to curricular decisions as they impinge on budget—the effect of adding a program or of deleting it, the capital costs of expansion into a new branch, and so on. Anyone who has sat through interminable curriculum committee meetings is aware that faculty are far from being of one mind on most curricular decisions, so this is not a matter of experts in conflict with amateurs, faculty with trustees, as far as the substance of argument is concerned. But there is a symbolic concern to consider, and it is important. Disagree as they may and will, the faculty need to feel that their disagreement and agreement lead somewhere; the more passionate they are in attack and defense, the more evident they make their commitment to earnestness about what they do as teachers. That is so important to the strength of an institution that trustees should intervene only when such great danger is threatened that the health of the institution itself is imperiled. On the whole, it is good that disagreements over curriculum occur, and it is wise for trustees to keep a decent distance from them.

Any responsible concern which trustees feel for curriculum must in the end be represented by a responsible concern for the nature and welfare of the faculty body. The problem this poses is especially difficult. The average trustee does not spend more than six or eight days a year on campus; he rarely visits a classroom; and even his infrequent conversations with faculty members are likely to be punctuated by martinis. How

is he to know whether or not the faculty is a good one and whether or not it is productive?

PERSONNEL MANAGEMENT

I would suggest that the most immediate way a trustee can satisfy himself about faculty quality and performance is to be attentive to conditions of employment. He should know what good conditions for academic people are: a reasonable workload, satisfactory facilities (including office space and some clerical help), freedom from harassment, competitive salaries, a decent fringe-benefit package, reasonably reliable modes of evaluation so that merit will be rewarded. All these matters are properly the direct responsibility of administrative officers, to be sure, but trustees need to understand them and to make sure that faculty know they understand them. The importance of working conditions is simply stated: good conditions attract good faculty because they are signs of respect as well as being essential to the usefulness of faculty and their intellectual health.

But while it is true that good faculty are attracted by good working conditions, it is also true that not-so-good faculty are attracted by them. Trustees cannot assume that conditions will by themselves assure quality. That assurance can come in the end only from faculty and administration, but trustees have a role to play all the same.

No Board of Trustees should permit the administration to be casual about the procedures of employment, continuance, promotion and dismissal. This is a litigious time, and there are agencies aplenty to espouse the cause of people who have been denied due-process or who have simply not had it made available to them. But beyond legality it is simply a matter of good management and of a clear sense of responsibility that trustees should require written codes covering every stage of the employment process. No one can spell out precisely the criteria of performance which lead to promotion, to tenure, or to merit increases in salary, but any Board can make sure that there is a rational process and that it is scrupulously followed.

The toughest problems, those of faculty rank and ratios among ranks, tenure and tenure quotas, require more of trustees than an admonition to the administrative staff, and I therefore proceed at this point with special caution. First, let me make clear that I know of no better system of faculty selection than that by peers. But within any single institution, no matter how prestigious, peers often represent too settled and too narrow a body of opinion to render a first-rate judgment. For that reason, trustees should be quick to encourage and willing to budget for processes of faculty selection and promotion, particularly at critical career points, which call on opinion from outside. For fresh appointments to senior rank and for decisions on tenure, outside opinion is especially important.

Collegiate institutions are like other institutions in the respect that they often make do with what they have in the way of personnel rather than rupture personal relationships, produce embarrassment, engender political battles, and endure the painful process of forced separation. Meanwhile the institution suffers and the students are short-changed. Trustees who are lucky enough to have a chief administrator with a clear sense of quality and a determination to get it should support him heartily; those not so lucky should get a different one, because directly and indirectly he must be the person who keeps criteria in plain view for those who must do the choosing.

Four considerations, in my judgment, should govern the making of rules about the composition of faculty, and these are considerations for which trustees themselves have serious responsibility. The first, quite naturally, is quality, as much as the institutions can afford and attract. The second is renewal, by which I mean simply the assurance of a continuous flow of fresh talent into the institutions. The third is flexibility—provision such that new needs can be met as they develop. And the fourth is economy, in the radical sense of that word, getting the greatest value from the resources available.

These four considerations require a management policy for personnel, and such a policy inevitably requires a decision about ratios. The American Association of University Professors calls this kind of decision immoral, and the teachers unions think it worse than that—"fascistic" is one of their gentler terms. Yet I cannot for the life of me see how, *especially* in these times, an institution can hope to be good and to remain good unless it protects itself against dominance by a heavily tenured and aging faculty body.

Consider a steady-state scenario, since that is what we are told we shall have to deal with for the next three decades: no growth in enrollment and presumably no growth in the size of faculty body. If we take age twenty-five as the beginning and sixty-five as the retirement posts and assume the distribution of faculty to be even over the forty-year period and if we further assume no restraints, no deaths and no other defections, we would have a two-and-a-half percent attrition every year, ten percent in four years. Obviously there *will* be deaths and defections, so we might reasonably double that rate, giving a ten percent attrition every two years if there were no restraining forces on natural flow. I would think that high enough to satisfy all four considerations I previously named and would welcome it as a substitute for quotas of any kind. But reality intrudes. To begin with, not even a large faculty body is likely to have a beautifully even age-distribution such as is assumed. More significant, of course, is the almost universal practice of granting career-long tenure after a brief probationary period. Although some faculty members move from one institution to another when opportunity beckons, by and large it is the better ones who move, and a system that fails to provide for their replacement by people as good runs the risk of deterioration. The Keast report of a year back argues against quotas for tenure but suggests healthy balance; that is rather like the casuistical position of the Civil Rights Office on sex and racial balance—no quotas but a general regulation that is achievable only by quotas of some kind.

I've been on this merry-go-round long enough to conclude that trustees cannot win popular acclaim, no matter what action they take; and to conclude as well that they cannot avoid the contest. They can say, "We'll take our stand on quality alone, promote and tenure on the basis of merit, and let other considerations take care of themselves." They may or may not subsequently find the institution caught by a tenured

surplus in one area while another area cries out for staff. I think they *will* sooner or later find themselves with quality defined in terms less useful than some fresh faculty might provide. And I'm certain that, unless they have dollars to burn, they will find themselves short of money to pay their senior qualified faculty as they should be paid. If salaries have to flatten out as a result of overloading in the upper ranks and age-groups, there will be a flight of the best to institutions that have a different policy, so maintaining balance is more than a matter of dollars.

Recommendations and Conclusions

The alternative is for trustees to say something like this: "We intend to maintain, by a careful process of evaluation, the best people we can retain, but only so many as will make it possible for us to give good younger people the prospect of tenure with respectable salaries and only so many as will protect the capacity of the institution to respond effectively to deep changes in the educational pattern." That seems to me the correct posture for responsible trustees, but I recognize that it may not be, or may not become in years ahead, a possible one.

If what lies ahead, through unionization or even through federal or state regulation, is not an up-or-out policy with a limitation on the number who can go up but a policy of retention based on the right-to-work argument, the responsibility of trustees will be no less great for the preservation of institutional health. In place of the renewal and flexibility which a steady flow of new talent helps to provide, trustees will have to provide for the creation of internal job-retraining and upgrading such as some industries have developed.

Let me say a final word, this about long-range planning. The primary responsibility in this matter lies, I think, with the administration, simply because it is at once sufficiently detached from special interests and sufficiently informed about general developments in education to be able to give the needed leadership. I am not infrequently dismayed by how little faculty members know about what is going on in higher education outside their own fields of special competence, and I am equally dismayed by the common experience with trustees of hearing the latest publicity piece in some national newspaper or magazine advanced as certain truth. Without claiming particular prescience for administrators, I do think they are more likely than others to have a sound overview of significant developments and a fairly sharp sense of what relevance those developments have to their own institution. Their job, then, becomes not so much one of doing the long-range planning themselves but of educating both faculty and trustees to what must be considered.

This process of educating lays on trustees some responsibility not to rely on the minimal and often distorted information provided by the public press. They ought to be ready to read reports or, at least, summaries of reports coming from educational commissions. And they ought to spend at least as much time on the internal reports coming from their institution as they would spend on a marketing report from corporation headquarters. This is part, an important part, of their obligation to have an informed perspective from which to consider the decisions that come up to them through committees and administrative officers.

An informed perspective is, in sum, the key to the role trustees should play in college and university affairs, whether the matter is an academic one or not. It is especially important in academic matters, however, because it is on them that their authority is most likely to be challenged. Trustees must indeed be accountable to faculty, in ways I have tried to make specific here, but they must also be accountable to others, and that second accountability is one they can't satisfactorily perform unless they accept the work that goes with it and the often unpleasant decisions it entails. If they do, they have indeed an important role to play in the academic affairs of the institutions, and they should not permit any argument about exclusive domain to deter them from playing it.

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